

Message Text

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PAGE 01 ISLAMA 08428 181123Z

ACTION DLOS-09

INFO OCT-01 EA-10 NEA-10 IO-13 ISO-00 AF-10 ARA-10
EUR-12 ACDA-07 AGRE-00 AID-05 CEA-01 CEQ-01 CG-00
CIAE-00 COME-00 DODE-00 DOTE-00 EB-08 EPA-01
ERDA-05 FMC-01 TRSE-00 H-01 INR-07 INT-05 JUSE-00
L-03 NSAE-00 NSC-05 NSF-01 OES-07 OMB-01 PA-01
PM-05 PRS-01 SP-02 SS-15 USIA-06 FEA-01 OIC-02
/167 W

-----080866 181135Z /17

P R 181005Z AUG 77

FM AMEMBASSY ISLAMABAD

TO SECSTATE WASHDC PRIORITY 3422

USMISSION USUN NY PRIORITY

INFO AMEMBASSY BANGKOK PRIORITY

AMEMBASSY COLOMBO

AMEMBASSY DACCA

AMEMBASSY JAKARTA PRIORITY

AMEMBASSY KABUL

AMEMBASSY KATHMANDU

AMEMBASSY NEW DELHI

C O N F I D E N T I A L ISLAMABAD 8428

E.O. 11652: GDS

TAGS: PK, US, PLOS

SUBJECT: PRE-UNGA CONSULTATIONS: LAW OF THE SEA

REF: ISLAMABAD 8420

1. DURING WELLS/PETREE AUGUST 16 PRE-UNGA CONSULTATIONS SUBJECT OF LOS, MFA OFFICIALS SAID THEY EXPECTED UNGA ACTION ON LOS THIS YEAR WOULD BE LIMITED TO PRO-FORMA RESOLUTION CALLING FOR CONVENING OF CONFERENCE IN GENEVA IN MARCH 1978.

2. IN REVIEWING PAKISTAN'S PERCEPTIONS ON LOS NEGOTIATIONS, KHALID MAHMOOD, MFA DIRECTOR RESPONSIBLE FOR LOS MATTERS, SAID THAT PAKISTAN WAS SURPRISED BY AMBASSADOR RICHARDSON'S
CONFIDENTIAL

CONFIDENTIAL

PAGE 02 ISLAMA 08428 181123Z

COMMENT THAT THE US WOULD HAVE TO REVIEW ITS POSITION ON WHETHER TO PARTICIPATE IN THE NEXT LOS CONFERENCE. MAHMOOD SAID THAT PAKISTAN UNDERSTANDS THE USG'S FRUSTRATIONS OVER THE SLOW MOVEMENT OF THE NEGOTIATIONS AND IS AWARE OF STATEMENTS OF OTHER COUNTRIES EXPRESSING THEIR FRUSTRATIONS AS WELL. THE GOP ALSO KNOWS THAT THE US IS PIQUED OVER THE QUESTION OF EXPLOITATION OF THE DEEP SEABED. HOWEVER, THE GOP IS NEVERTHELESS SURPRISED THAT

THE US FELT COMPELLED TO MAKE SUCH STRONG STATEMENTS AT THIS STAGE IN THE NGOTIATIONS. MAHMOOD SAID THAT IN PAKISTAN'S VIEW, THE NEW COMPOSITE TEXT REFLECTED A DECIDED TILT FAVORING THE VIEWS OF THE US AND THE OTHER MARITIME POWERS AND HOPED THAT US DISSATISFACTION OVER PROCEDURES AND THE DEEP SEABED ISSUE WILL NOT INHIBIT US PARTICIPATION IN THE UPCOMING CONFERENCE. ACCORDING TO MAHMOOD, PAKISTAN WILL WAIT UNTIL AFTER THE NEXT CONFERENCE BEFORE REVIEWING ITS POSITION ON THE EFFICACY OF FURTHER CONFERENCES. IN THE MEANTIME THE GOP BELIEVES THERE CAN BE FURTHER NEGOTIATIONS, AND THERE IS ROOM FOR COMPROMISE. PAKS EXPECT G-77 AND AFRO-ASIAN CONSULTATIONS, OF COURSE, WHEN THEIR VIEWS CAN BE FURTHER COORDINATED. PAKISTAN HOPES THAT THE NEXT CONFERENCE CAN "WRAP THINGS UP".

3. MAHMOOD SAID THAT PAKISTAN WAS DISSATISFIED WITH CERTAIN PARTS OF THE COMPOSITE TEXT. HE CITED AS EXAMPLES THE RIGHT OF TRANSIT OF LANDLOCKED COUNTRIES, RESEARCH AND CLAUSES GOVERNING RIGHTS OF COASTAL STATES IN THE ECONOMIC ZONES. MAHMOOD SAID THAT PAKISTAN FEELS THESE ARE INFRINGEMENTS OF A COUNTRY'S SOVEREIGNTY AND ARE THEREFORE UNACCEPTABLE TO THE GOP AS THEY ARE NOW CONCEIVED. MAHMOOD NOTED THAT THERE IS AGREEMENT BETWEEN THE US AND PAKISTAN ON A NUMBER OF ISSUES. HE MENTIONED SPECIFICALLY THE CONTINENTAL SHELF AS AN EXTENSION OF THE LANDMASS; THE COMPULSORY SETTLEMENT OF DISPUTES; AND THE STRAITS TRANSIT ISSUE (PAKISTAN WILL SUPPORT WHATEVER THE PARTIES CONCERNED AGREE ON.)

CONFIDENTIAL

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PAGE 03 ISLAMA 08428 181123Z

4. NIAZ NAIK, ADDITIONAL FOREIGN SECRETARY, SAID HE WANTED TO EMPHASIZE ONE ISSUE ON WHICH PAKISTAN HELD STRONG VIEWSNII USE IT AFFECTED PAKISTAN'S SECURITY AND TERRITORIAL INTEGRITY - THE QUESTION OF THE RIGHT OF TRANSIT OF LANDLOCKED COUNTRIES. NAIK SAID THAT IN PAKISTAN'S VIEW A LANDLOCKED COUNTRY'S ACCESS WAS A "FACILITY" TO BE GRANTED BY THE MARITIME STATE THROUGH NEGOTIATIONS BETWEEN THE CONCERNED PARTIES AND WAS NOT AN AUTOMATIC "RIGHT". NAIK REFERRED TO THE "SPECIAL ASPECTS" OF THIS ISSUE THAT WERE PECULIAR TO PAK-AFGHAN RELATIONS. PAKISTAN, NAIK SAID, VIEWED THE QUESTION OF AFGHANISTAN'S CLAIM TO THE "RIGHT" OF ACCESS AS THE "THIN EDGE" OF AFGHANISTAN'S HISTORICAL CLAIMS ON PAK TERRITORY IN "PAKHTUNISTAN" AND POSSIBLY EVEN REFLECTS THE USSR'S HISTORICAL DRIVE TOWARD THE ARABIAN SEA. NAIK SAID THAT EVEN IF PAKISTAN WERE ISOLATED ON THIS ISSUE IT WOULD NOT MODIFY ITS POSITION. SINCE IT DIRECTLY AFFECTED PAKISTAN'S SOVEREIGNTY, SECURITY AND TERRITORIAL INTEGRITY.

5. PETREE BRIEFLY REVIEWED THE US POSITION ON THE MANAGEMENT OF THE ECONOMIC ZONES AND EXPLOITATION OT THE DEEP SEABED. PETREE SAID THAT ALTHOUGH HE DID NOT HAVE THE LATEST INFORMATION ON US VIEWS ON LOS, IN LIGHT OF OUR REVIEW OF THE INFORMAL COMPOSITE

NEGOTIATING TEXT, OR THE SPECIFIC REASONING BEHIND AMBASSADOR RICHARDSON'S STATEMENT, WE WOULD BE WILLING TO PROVIDE SUCH INFORMATION TO THE GOP EITHER IN NEW YORK OR ISLAMABAD. NAIK REPLIED THAT THE GOP WAS ANXIOUS TO RECEIVE THE USG'S LATEST VIEWS ON THIS SUBJECT AND PAKISTAN LOOKED FORWARD TO CONTINUING CONSULTATIONS WITH THE US ON LOS AT THE UN.

6. EMBASSY WOULD LIKE TO GIVE A TIMELY RESPONSE TO THE GOP'S REQUEST FOR INFORMATION ON OUR LATEST VIEWS ON LOS ISSUES AND THE FUTURE OF LOS NEGOTIATIONS. WE WOULD ALSO LIKE TO PROVIDE MFA WITH APPROPRIATE BACKGROUND INFORMATION AND FURTHER EXPLANATION OF AMBASSADOR RICHARDSON'S STATEMENT REGARDING FUTURE PARTICIPATION OF THE US IN LOS NEGOTIATIONS. ANY MATERIAL THE DEPARTMENT CAN PROVIDE WOULD BE APPRECIATED. SUGGEST IT ALSO BE SENT TO
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PAGE 04 ISLAMA 08428 181123Z

BANGKOK AND JAKARTA FOR INFORMATION OF WELLS AND PETREE IN THEIR FORTHCOMING BILAT CONSULTATIONS.
HUMMEL

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Message Attributes

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